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F: 202-362-2640  
jharney@odonoghuelaw.com  
www.odonoghuelaw.com

Admitted to practice in DC, MD, VA and NY

September 28, 2022

**VIA ECF**

The Honorable Analisa Torres  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Courtroom 15D  
New York, NY 10007-1312

Re: Judith P. Broach, as Independent Fiduciary of the Exhibition Employees Local 829 Annuity Fund, et al. v. Showtime on the Piers, LLC  
Case No.: 22-cv-3209 (AT)

Dear Judge Torres:

The undersigned is counsel to the Plaintiffs in the above-referenced case, Judith P. Broach, as Independent Fiduciary of the Exhibition Employees Local 829 Annuity Fund and Exhibition Employees Local 829 Annuity Fund (“Plaintiffs”). Pursuant to Section 1(C) of your Individual Rules of Practice in Civil Case, I write to respectfully request an extension of two weeks to file a Motion for Default Judgment in the instant case. This is Plaintiffs third request as Plaintiffs have not yet obtained the Certificate of Default from the Clerk of the Court required under Local Rules 55.1 and 55.2 of the Southern District of New York before the Plaintiffs may file the Motion for Default Judgment.

On August 25, 2022, the Court ordered the Plaintiffs to move for default judgment by September 1, 2022. On September 1, 2022, Plaintiffs sought a two-week extension, which the Court granted on September 6, 2022, as the Plaintiffs had not received a Certificate of Default from the Clerk of the Court in response to Plaintiffs’ Request for Clerk’s Certification of Default. On September 13, 2022, the Plaintiffs sought another two-week extension for the same reason, which was granted on September 14, 2022. On September 15, 2022, the Clerk notified the undersigned to re-file the clerk’s certificate of default as it was not filed as to form. On September 27, 2022, the Plaintiffs filed a corrected Proposed Clerk’s Certificate of Default. Per the Local Rules, Plaintiffs are unable to move for default judgment without the Certificate of Default.

Plaintiffs have been unable to contact the Defendant to ascertain if it objects to this request. The proposed two-week extension does not affect any other scheduled dates in the instant case. If granted, the Plaintiffs will move for default judgment as soon as the Clerk issues the Certification of Default.

Thank you for your consideration of this request. Please contact the undersigned if you have any questions or require any documentation.

Very truly yours,

/s/ John R. Harney  
John R. Harney  
*Attorney for Plaintiffs*

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GRANTED.

SO ORDERED.

Dated: September 29, 2022  
New York, New York

  
ANALISA TORRES

United States District Judge